

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:03CR3100
)	
Plaintiff,)	
)	
v.)	ORDER ON MOTION TO CONTINUE
)	MOTION TO VACATE SENTENCE DUE
TIMOTHY S. DEGARMO,)	TO PROSECUTORIAL MISCONDUCT
)	
Defendant.)	
_____)	

IT IS ORDERED that:

1. the Motion to Continue Motion to Vacate Sentence Due to Prosecutorial Misconduct, filing 192, is granted;
2. the hearing on the claims that (1) the defendant was the subject of prosecutorial vindictiveness and (2) that the defense counsel's failure to raise a prosecutorial vindictiveness claim amounted to ineffective assistance of counsel shall be continued until March 11, 2008, at 10:00 a.m.; and
3. the U.S. Marshal shall have the defendant present for the hearing.

Dated February 6, 2008.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge